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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David J. Thomsen

APPLICATION No.: 09/849,455

FILED: May 4, 2001

FOR: **SYSTEM AND METHOD FOR RETRIEVING AND
DISPLAYING DATA, SUCH AS ECONOMIC DATA
RELATING TO SALARIES, COST OF LIVING AND
EMPLOYEE BENEFITS**

EXAMINER: Leslie Wong

ART UNIT: 2177

CONF. NO: 8660

Declaration of David J. Thomsen Under 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, David J. Thomsen, declare and state that:

1. I am a sole inventor of the invention described and claimed in U.S. Patent Application No. 09/849,455, filed May 4, 2001. This declaration establishes invention in this country both prior to April 28, 2000, which is the asserted priority date of U.S. Published Patent Application No. 2001/0032097 A1 ("Levey"), and prior to December 20, 1999, which is the asserted priority date of U.S. Published Patent Application No. 2002/0002479 A1 ("Almog").

2. I conceived of the invention in the U.S. as recited in currently presented claims 1-25 and 47-56, prior to December 20, 1999. My conception and reduction to practice of the invention is corroborated by a document entitled "SalariesReview.com" (attached to this Declaration as "Exhibit A"). The dates on Exhibit A have been redacted, consistent with MPEP § 715.07, "Establishment of Dates."

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3. I conceived of a system and method that included providing a network accessible application that facilitates receiving a user request for economic data (see e.g., Exhibit A pages 3 and 4), retrieving economic data from a database (see e.g., Exhibit A page 4); providing a display description of requested economic information (see e.g., Exhibit A page 4); and providing a display for receiving economic information (see e.g., Exhibit A page 7).

4. The system and method that I conceived of prior to December 20, 1999, further included, for example:

- checking the second item of economic data for validity by determining whether the second item of economic data is consistent with economic data in the database of the same type as the second item of data (see e.g., Exhibit A page 7);
- receiving at least one of the user's geographic location, position, years of experience in the position, annual salary and annual bonus or incentive payment (see e.g., Exhibit A page 8 and 9); and
- providing domestic and/or international wage data, cost of living data, cost of labor data and/or employee data (see e.g., Exhibit A page 10).

5. After conceiving of this invention, from prior to December 20, 1999, to May 4, 2001, I pursued it diligently by at least the following acts: implementing and testing the invention, participating in the preparation and filing of a provisional patent application, which was filed on May 9, 2000, and filing the non-provisional patent application on May 4, 2001.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further, that the statements are made with the knowledge that the making of willful or false statements or the like is punishable by fine or imprisonment or both under § 1001

of Title 18 of the United States Code and may jeopardize the validity of any patent issuing from this patent application.

Dated this 22nd day of February, 2004.


David J. Thomsen

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